

REMARKS/ARGUMENTS

Claims 38-49 remain in this application.

Applicants respectfully traverse the rejection of Claims 38-49 under 35 U.S.C. § 103(a) as being unpatentable for obviousness over Bacon et al (US Patent No. 6,027,062) in view of Isoard (US Patent No. 4,206,883).

Applicants submit that one would not be motivated by Isoard to modify the teachings of Bacon. The optical fiber employed in applicant's invention and in the Bacon reference is much stiffer and more brittle than the yarns which are employed in the Isoard reference. Consequently, mere substitution of the Isoard aspirator for the positioning device in Bacon would likely not work.

The Examiner asserts that Bacon discloses an apparatus and method of threading a moving length of fiber through a component in an optical fiber draw, optical fiber winding or optical fiber testing process. The Examiner submits that "Isoard teaches activating an aspirator 13 mounted on a carriage 17, to obtain the fiber at a first location 3, 4 (position I) and moving the fiber to a second location (position II) to thread the fiber through a component 7, 8 in the fiber draw process (Fig. 3, col. 4 line 58 to col. 5 line 28)."

Applicants respectfully disagree. The portion of the specification of Isoard referred to by the Examiner indicates that the aspirator 13 is moved from the first location at one end of the slide rail 11 to a second location at the other end of the slide rail 11 (notably not threading a component in a fiber draw process). At this point "The positioning of each yarn on its wind-up spindle 7 or 8 is effected by means of the catching nozzle 16, as in the preceding case." In particular, the preceding case, which is described at column 4, lines 32-35, involves having an operator manually anchor the yarns to their respective spindles after they have been seized by the catching nozzle 16. Consequently, it is clear that, even if the references were combinable as proposed by the Patent Office, such a combination would not result in applicant's claimed invention, as the aspirator employed in Isoard is not utilized to thread an optical fiber through a component in a fiber draw process.

The Examiner admits that Bacon fails to teach the positioning device being an aspirator, but submits that "It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the positioning device of Bacon to

include an aspirator to hold the fiber as suggested by Isoard, to hold the fiber while transferring and threading the fiber without causing damage to the fiber.”

In fact, one of skill in the art would not be motivated to utilize the aspirator from Isoard as the mechanical positioning device in Bacon, as the aspirator employed in Bacon is for a completely different purpose, namely, to provide tension on the fiber so that the mechanical armature can feed the fiber through the winding process. In fact, merely replacing the positioning device in Bacon with an aspirator would likely not work, as the other aspirator 80 in Bacon would simply continue to draw fiber such that the aspirator from Isoard would likely not be able to capture any of the fiber.

Based upon the above amendments, remarks, and papers of record, Applicants believe the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record as there is no motivation to combine the references in the manner proposed, and even if the references were combinable such a combination would not result in applicants’ invention. Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Applicants believe that no extension of time is necessary to make this Reply timely. Should Applicant be in error, Applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Robert L. Carlson at 607-974-3502.

Respectfully submitted,



DATE: October 18, 2006

Robert L. Carlson
Attorney for Assignee
Registration Number: 35,473
Corning Incorporated
SP-TI-03-1
Corning, NY 14831
Phone: 607-974-3502